

DOCUMENTS UNDER SEAL 

TOTAL TIME (mins): 10 Mins

<b>MAGISTRATE JUDGE MINUTE ORDER</b>		DEPUTY CLERK Ivy L. Garcia			REPORTER/FTR FTR: 4/3/08 10:04:16-10:14:38	
MAGISTRATE JUDGE HON. WAYNE D. BRAZIL		DATE 4/3/08			NEW CASE <input type="checkbox"/>	CASE NUMBER CR-08-00216-CW

**APPEARANCES**

DEFENDANT CARLOS ANTONIO MORALES GARCIA	AGE	CUST Yes	P/NP P	ATTORNEY FOR DEFENDANT Rebecca Silbert	PD. <input checked="" type="checkbox"/> RET. <input type="checkbox"/> APPT. <input type="checkbox"/>
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U.S. ATTORNEY Daniel Kaleba	INTERPRETER Monique Inciarte (Spanish Int.)	<input type="checkbox"/> FIN. AFFT SUBMITTED	<input type="checkbox"/> COUNSEL APPT'D
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PROBATION OFFICER None	PRETRIAL SERVICES OFFICER Amy Berthelsen	DEF ELIGIBLE FOR APPT'D COUNSEL	<input type="checkbox"/> PARTIAL PAYMENT OF CJA FEES
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**PROCEEDINGS SCHEDULED TO OCCUR**

<input checked="" type="checkbox"/> INITIAL APPEAR 5 Mins HELD	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION	<input type="checkbox"/> JUGM'T & SENTG	<input type="checkbox"/> STATUS
<input type="checkbox"/> I.D. COUNSEL	<input checked="" type="checkbox"/> ARRAIGNMENT 5 Mins HELD	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> INITIAL APPEAR REV PROB OR S/R	<input type="checkbox"/> OTHER
<input type="checkbox"/> DETENTION HRG	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA	<input type="checkbox"/> PROB. REVOC.	<input type="checkbox"/> ATTY APPT HEARING

**INITIAL APPEARANCE**

<input checked="" type="checkbox"/> ADVISED OF RIGHTS 4/3/08	<input checked="" type="checkbox"/> ADVISED OF CHARGES 4/3/08	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME	<input type="checkbox"/> TRUE NAME:	APR 3 - 2008
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**ARRAIGNMENT**

<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input checked="" type="checkbox"/> ARRAIGNED ON INDICTMENT 2 COUNTS	<input type="checkbox"/> READING WAIVED SUBSTANCE	<input type="checkbox"/> WAIVER	RECHART W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND
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**RELEASE**

<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$	SPECIAL NOTES	<input type="checkbox"/> PASSPORT SURRENDERED DATE:
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PROPERTY TO BE POSTED CASH \$		CORPORATE SECURITY <input type="checkbox"/>		REAL PROPERTY: <input type="checkbox"/>
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<input checked="" type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED	<input checked="" type="checkbox"/> REMANDED TO CUSTODY
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ORDER REMOVED TO THE DISTRICT OF					
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**PLEA**

<input type="checkbox"/> CONSENT ENTERED	<input checked="" type="checkbox"/> NOT GUILTY AS TO BOTH 2 COUNTS	<input type="checkbox"/> GUILTY	GUILTY TO COUNTS: <input type="checkbox"/>	
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED	OTHER:	

**CONTINUANCE**

TO: 4/8/08	<input checked="" type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> STATUS RE: CONSENT	<input type="checkbox"/> STATUS / TRIAL SET
AT: 10:00 a.m.	<input checked="" type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING OR ARRAIGN- MENT	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> OTHER
BEFORE HON. WAYNE D. BRAZIL	<input checked="" type="checkbox"/> DETENTION HEARING		<input type="checkbox"/> MOTIONS	<input type="checkbox"/> JUDGMENT & SENTENCING
DEFT. RE: SPEEDY TRIAL ACT CALCULATION BET. NOW & UNTIL 4/18/08	<input checked="" type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> IDENTITY / REMOVAL HEARING	<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROB/SUP REV. HEARING

FOR CONTINUITY OF COUNSEL

**ADDITIONAL PROCEEDINGS**

The govt's atty. provided the Court with a copy of the deft's ICE detainer. The deft. told Court that there's a possibility that he will be able to hire his own atty. but for now, he asked that someone from the Fed. Public Defender's Office represent him. AFPD R. Silbert will provide the deft. with a fin. affidavit form & will assist him in filling it out.

cc: WDB's Stats, Pretrial, Sheilah

DOCUMENT NUMBER:

U.S. Department of Homeland Security  
San Francisco District Office  
630 Sansome Street  
San Francisco, CA 94111

APR 3 - 2008

**RECEIVED**  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

**Immigration Detainer - Notice of Action**

APR 3 2008

File No.

**A70 451 972****APRIL 3, 2008**

TO: (Name and title of institution) <b>U.S. Marshals Service</b> <b>Oakland, CA.</b> <b>Or any subsequent law enforcement agency</b>	From: (INS office address) U.S. Immigration and Customs Enforcement Detention and Removals 630 Sansome Street San Francisco, CA 94111 (415) 844-5646
<b>To Follow On All Transfers</b>	

Name of alien: **MORALES-Garcia, Carlos Antonio**CII: CA11923977      **FBI# 250107HB7**Date of birth: **AUGUST 16, 1977**      Nationality: **GUATEMALA**      Sex: **Male**

**You are advised that the action noted below has been taken by the U.S. Immigration and Customs Enforcement concerning the above-named inmate of your institution:**

Investigation has been initiated to determine whether this person is subject to removal from the United States.

A Notice to Appear or other charging document initiating removal proceedings, a copy of which is attached, was served on \_\_\_\_\_ (Date)

A warrant of arrest in removal proceedings, a copy of which is attached, was served on \_\_\_\_\_ (Date)

**Deportation or removal from the United States has been ordered.**

**It is requested that you:**

Please accept this notice as a detainer. This is for notification purposes only and does not limit your discretion in any decision affecting the offender's classification, work and quarters assignments, or other treatment which he or she would otherwise receive.

Federal regulations (8 CFR 287.7) require that you detain the alien for a period not to exceed 48 hours (excluding Saturdays, Sundays and Federal holidays) to provide adequate time for INS to assume custody of the alien. You may notify INS by calling \_\_\_\_\_ during business hours or \_\_\_\_\_ after hours in an emergency.

**Please complete and sign the bottom block of the duplicate of this form and return it to this office.**

Please return a signed copy via facsimile to **(415) 844-5591**  
(Area code and facsimile number)

**Notify the nearest DHS/ICE office of the time of release at least 30 days prior to release or as far in advance as possible.**

**Notify this office in the event of the inmate's death or transfer to another institution.**

Please cancel the detainer previously placed by this Service on \_\_\_\_\_.

*Cesar Lopez #2153*  
(Signature of ICE official)

**Deportation Officer**  
(Title of ICE official)

Date of latest conviction:

Latest conviction  
charge:

Estimated release date:

**SIGNATURE AND TITLE OF OFFICIAL:**

Form I-247 (Rev. 4-1-97N)

\*\*\*\*\***RECEIPT ACKNOWLEDGED**\*\*\*\*\*